IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.468 OF 2007
IN
APPEAL (L) NO.922 OF 2006
IN
NOTICE OF MOTION NO.74 OF 2006
IN
SUIT NO.39 OF 1989
IN
PETITION NO.279 OF 1989

Rui Francisco Rodrigues ..Appellant
Vs.
Xavier Hillary Geoffray Almeida
Greta Magdalen Almeida & Ors. ..Respondents

Mr.R.S.Tripathi for the Appellant.
None for the Respondents.

CORAM :- DR.S.RADHAKRISHNAN &
ANOOP V.MOHTA,JJ.
DATE : 19TH NOVEMBER,2007

P.C.

1. Heard the learned Counsel for the Appellant.

None appears for the Respondents though served. The learned Counsel for the Appellant undertakes to file affidavit-of-service within a period of one week from today. By this Notice of Motion, the Appellant is seeking condonation of 23 days delay in filing the above Appeal. Perused the Notice of Motion and affidavit-in-support thereof. For the reasons stated therein sufficient cause is made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(ANOOP V.MOHTA,J.) **(DR.S.RADHAKRISHNAN,J.)**